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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

WIEKER, AMANDA FLYNN

ART UNIT	PAPER NUMBER
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3743

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/825,936

Applicant(s)

TERMANINI, ZAFER .

Examiner

Amanda F. Wieker

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18, 20, 25, 26 and 29-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20, 25, 26 and 29-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of Application

1. The amendment received on 09 February 2006 has been received and entered. Claims 19, 21-24, 27-and 28 have been cancelled; claims 1-11, 13, 14, 16-18, 20 and 25, and the specification and abstract, have been amended; and claims 29-37 have been added.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "9" has been used to designate both "ends" and "pull ring" (in the specification at [0014] and in Figure 3). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the subject matter of claims 1, 5 and 30 (container of same length; string extends along length of container) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:

In [0014] reference number "9" is used to identify two separate pieces of structure ("ends" and "pull ring").

Appropriate correction is required.

Claim Objections

5. Claim 25 is objected to because of the following informalities:

In claim 25, at lines 3-4, there is insufficient antecedent basis for "the gel container".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 3-4, 6-9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 4,537,184 to Williams, Jr.

Regarding claim 1 Williams, Jr. discloses an integrated orthopedic bandage system comprising:

a) a water-curable orthopedic casting material (14), which is in the form of a splint, and

b) a container (16) including water that is removable from said container, said container having substantially the same length dimension as that of said casting material (see broad, reasonable dictionary definition of length- “distance from end to end”).

Regarding claim 3, the casting material is in a flat arrangement (see Figures).

Regarding claim 4, the container is provided with opening means (rupturable) operable to permit the release of the water therefrom and into contact with the orthopedic casting material.

Regarding claim 6, the orthopedic casting material is protected with a protective sleeve (12).

Regarding claim 7, the container (16) is anchored to the sleeve. Regarding claim 9, the protective sleeve is water-resistant (polyethylene).

Regarding claim 8, there is some degree of adhesion (at least frictional adhesion) of the container (16) to the casting material (14).

Regarding claim 11, the system comprises an outer package (12) that encloses the water-curable orthopedic casting material (14) and the container (16).

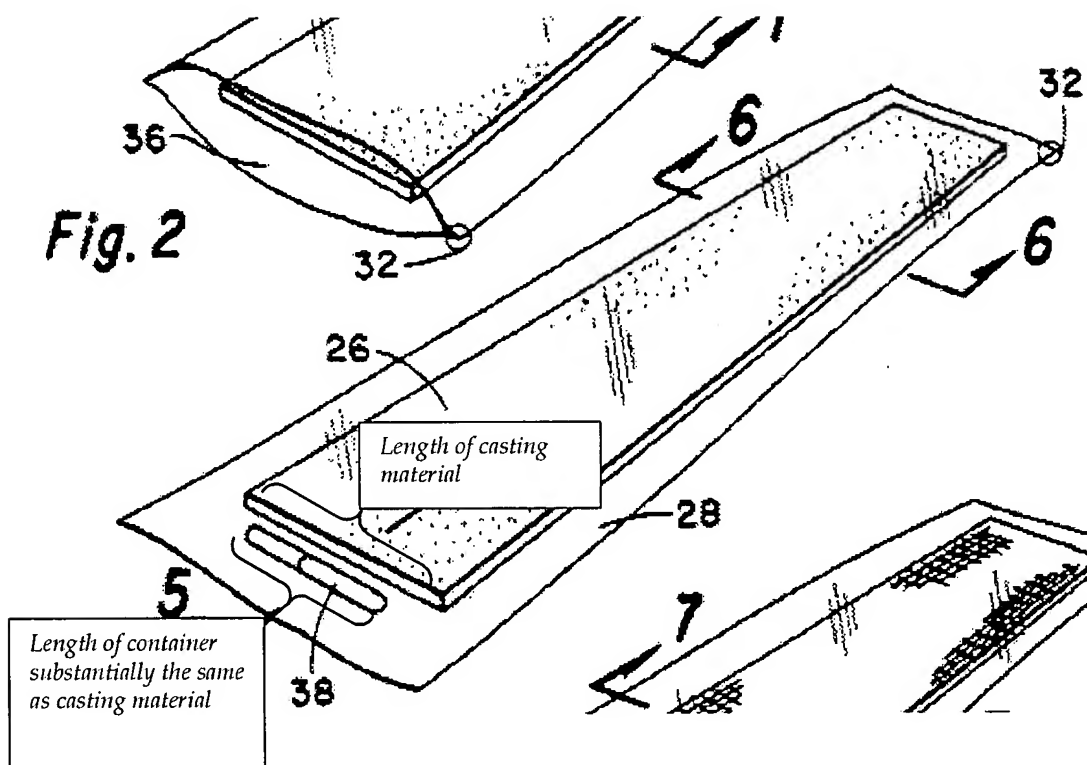
The casting material includes a water-curable resin, specifically, polyurethane.

The container is a flat long pouch (16).

8. Claim 1, 3-4, 6-7, 9, 11 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,318,504 to Edenbaum et al.

Edenbaum et al. disclose an integrated orthopedic bandage system comprising:

- a) a water-curable orthopedic casting material (26), which is in the form of a splint; and
- b) a container (38) having substantially the same length dimension as that of said casting material (see broad, reasonable dictionary definition of length- "distance from end to end"; also see marked-up Figure below).



Regarding claim 3, said casting material is in a flat arrangement.

Regarding claim 4, the container is provided with opening means (rupturable) operable to permit the release of the water therefrom and into contact with the orthopedic casting material.

Regarding claim 6, the orthopedic casting material is provided in a protective sleeve (formed by 20, 28). Regarding claim 9, the protective sleeve is water resistant. Regarding claim 11, the protective sleeve can be considered an outer package which encloses the water-curable material and the container.

Regarding claim 7, the container is anchored to the sleeve (anchored in place by its secured location between 28, 24, 26, which prevents any movement out of this location.)

Regarding claim 13, the casting material comprises fiberglass (col. 4, line 37).

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Regarding claim 14, the orthopedic casting material includes a water-curable resin.

Regarding claim 15, the water-curable resin may be polyurethane (taught by USPN 4,502,479 which is incorporated by reference; col. 4, line 26).

9. Claims 17 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 4,537,184 to Williams, Jr.

Williams, Jr. discloses an integrated orthopedic bandage system (10) and a method for curing a water-curable orthopedic casting material, which is in the form of a splint (14), the method comprising applying to an orthopedic material (14) to be cured, an effective amount of water (col. 1, lines 45-60),

wherein the orthopedic casting material (14) and the water are present in a package (12) wherein the water is provided in a container (16) from which it is removable into fluid communication with the casting material whereby when the water is removed from the container, the water directly contacts the casting material substantially along the entire length dimension of the casting material (see col. 1, lines 52-58; "to allow liquid for the inner bag to be released and be absorbed by said splint material. The splint material is manually kneaded to uniformly work in the liquid which will thereafter reach with the hardening agent to form a hard stiff splint."

Regarding claim 25, the container is a rupturable flat long pouch.

Regarding claim 26, the orthopedic casting material is protected with a protective sleeve (12).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2, 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. in view of U.S. Patent Number 5,713,838 to Termanini.

Williams, Jr. discloses the previously described bandage system comprising a water-curable casting material (14) in the form of a splint, and a container (16) including water, which is removable from the container. Williams, Jr. specifies that the liquid within the container (16) be able to cure the resin impregnated in the casting material (14). Williams, Jr. does not specify that the liquid within the container be a water-laden gel.

Termanini discloses a water-curable casting material (1) that can be applied to a patient's limb as a splint. Termanini specifies that the liquid used to cure the water-curable casting material be a water-laden gel, wherein the gel is less messy than conventional free-flowing water. Termanini specifies that the gel may include hydroxymethyl cellulose, hydroxypropyl cellulose, acrylates, or polyglycols. Termanini also specifies that hardeners or accelerators like starch and thickeners may be used (col. 3, lines 21-22).

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage comprising a water-curable casting material and container

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including water, disclosed by Williams, Jr., wherein the container including water includes a water-laden gel, as taught by Termanini, to provide a less messy bandage application.

12. Claims 2, 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edenbaum et al. in view of U.S. Patent Number 5,713,838 to Termanini.

Edenbaum et al. disclose the previously described bandage system comprising a water-curable casting material (26) in the form of a splint, and a container (38) including water, which is removable from the container. Edenbaum et al. specify that the liquid with the container (38) be able to cure the resin impregnated in the casting material (26). Edenbaum et al. do not specify that the liquid within the container be a water-laden gel.

Termanini discloses a water-curable casting material (1) that can be applied to a patient's limb as a splint. Termanini specifies that the liquid used to cure the water-curable casting material be a water-laden gel, wherein the gel is less messy than conventional free-flowing water. Termanini specifies that the gel may include hydroxymethyl cellulose, hydroxypropyl cellulose, acrylates, or polyglycols. Termanini also specifies that hardeners or accelerators like starch and thickeners may be used (col. 3, lines 21-22).

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage comprising a water-curable casting material and container including water, disclosed by Edenbaum et al., wherein the container including water includes a water-laden gel, as taught by Termanini, to provide a less messy bandage application.

13. Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. in view of U.S. Patent Number 5,713,838 to Termanini.

Williams, Jr. discloses the previously described method of curing a water-curable casting material (14), wherein water is removable from the container (16) to cure the resin impregnated in the casting material (14). Williams, Jr. does not specify that the water within the container be a water-laden gel.

Termanini discloses a water-curable casting material (1) that can be applied to a patient's limb as a splint. Termanini specifies that the liquid used to cure the water-curable casting material be a water-laden gel, wherein the gel is less messy than conventional free-flowing water. Termanini specifies that the gel may include hydroxymethyl cellulose, hydroxypropyl cellulose, acrylates, or polyglycols. Termanini also specifies that hardeners or accelerators like starch and thickeners may be used (col. 3, lines 21-22).

It would have been obvious to one skilled in the art at the time the invention was made to have provided the method of curing a water-curable orthopedic casting material as disclosed by Williams, Jr., wherein the container including water includes a water-laden gel, as taught by Termanini, to provide a less messy bandage application.

14. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. in view of Termanini, and in view of U.S. Patent Number 3,797,493 to Saudek.

Williams, Jr. in view of Termanini disclose the previously described bandage system comprising a water-curable casting material (14) in the form of a splint, and a container (16) including water, which is removable from the container, wherein the water in the container is a water-laden gel. Williams, Jr. specifies that the container (16) be provided with opening means to permit the release of water therefrom and into contact with the orthopedic casting material. Williams, Jr. does not specify that the opening means be a string.

Saudek disclose a container including a gelled pharmaceutical material, wherein the container is provided with opening means to permit the release of gel therefrom. Saudek disclosed that the opening means is a string, which extends along the container so that when pulled it ruptures the container to expose the gel contained in the gel container, to allow a clean and antiseptic release of gel.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage disclosed by Williams, Jr. in view of Termanini, wherein the opening means of the container comprises a string, as taught by Saudek, to allow clean release of gel.

It is further noted that Applicant has acknowledged on the record (Specification page 5) the exchangeability of opening means that are in the form of either a tear string as disclosed by Saudek, or as a rupturable container, such as that disclosed by Williams, Jr.

15. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edenbaum et al. in view of Termanini, and in view of U.S. Patent Number 3,797,493 to Saudek.

Edenbaum et al. in view of Termanini disclose the previously described bandage system comprising a water-curable casting material (26) in the form of a splint, and a container (38) including water, which is removable from the container, wherein the water in the container is a water-laden gel. Williams, Jr. specifies that the container (38) be provided with opening means to permit the release of water therefrom and into contact with the orthopedic casting material. Williams, Jr. does not specify that the opening means be a string.

Saudek disclose a container including a gelled pharmaceutical material, wherein the container is provided with opening means to permit the release of gel therefrom. Saudek

disclosed that the opening means is a string, which extends along the container so that when pulled it ruptures the container to expose the gel contained in the gel container, to allow a clean and antiseptic release of gel.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage disclosed by Edenbaum et al. in view of Termanini, wherein the opening means of the container comprises a string, as taught by Saudek, to allow clean release of gel.

It is further noted that Applicant has acknowledged on the record (Specification page 5) the exchangeability of opening means that are in the form of either a tear string as disclosed by Saudek, or as a rupturable container, such as that disclosed by Edenbaum et al.

16. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. in view of Termanini, and in view of U.S. Patent Number 3,797,493 to Saudek.

Williams, Jr. in view of Termanini disclose the previously described method of curing a water-curable orthopedic casting material, wherein water is removable from a container (16) to cure the resin impregnated in the casting material (14). Williams, Jr. specifies that the container (16) be provided with opening means to permit the release of water therefrom and into contact with the orthopedic casting material. Williams, Jr. does not specify that the opening means be a string.

Saudek disclose a container including a gelled pharmaceutical material, and a method of releasing a gel from the container, wherein the container is provided with opening means to permit the release of gel therefrom. Saudek discloses that the gel is applied and released by manipulating a string that extends along the surface of the container or is located inside the

container in the longitudinal direction of the container, so that when pulled it ruptures the container to expose the gel contained in the gel container, to allow a clean and antiseptic release of gel.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the method of curing a water-curable orthopedic casting material disclosed by Williams, Jr. in view of Termanini, wherein the step of applying the water to the casting material includes manipulating a string to rupture the container and expose the water, as taught by Saudek, to allow clean release of gel.

It is further noted that Applicant has acknowledged on the record (Specification page 5) the exchangeability of opening means that are in the form of either a tear string as disclosed by Saudek, or as a rupturable container, such as that disclosed by Williams, Jr.

17. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. in view of U.S. Patent Number 4,899,738 to Parker.

Williams, Jr. discloses the previously described bandage system comprising a water-curable casting material (14) in the form of a splint, and a container (16) including water, which is removable from the container. Williams, Jr. discloses a water-resistant protective sleeve (12) surrounding the casting material. Williams, Jr. does not specify that the protective sleeve and casting material be contained in a padding sleeve.

Parker discloses a bandage system comprising a moisture-curable casting material. Parker specifies that the casting material be contained in a cushioned padding sleeve, overlying both sides of the casting material, so that either side of the bandage may be placed next to the skin of the user (see claim 1).

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage disclosed by Williams, Jr., wherein the casting material is contained in a cushioned padding sleeve, as taught by Parker, so that either side of the bandage may be placed next to the skin of the user.

18. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edenbaum et al. in view of U.S. Patent Number 4,899,738 to Parker.

Edenbaum et al. disclose the previously described bandage system comprising a water-curable casting material (26) in the form of a splint, and a container (38) including water, which is removable from the container. Edenbaum et al. disclose a water-resistant protective sleeve (20/28) surrounding the casting material. Edenbaum et al. disclose a padding (22) on one side of the casting material, however, Edenbaum et al. do not specify that the protective sleeve and casting material be contained in a padding sleeve.

Parker discloses a bandage system comprising a moisture-curable casting material. Parker specifies that the casting material be contained in a cushioned padding sleeve, overlying both sides of the casting material, so that either side of the bandage may be placed next to the skin of the user (see claim 1).

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage disclosed by Edenbaum et al., wherein the casting material is contained in a cushioned padding sleeve, as taught by Parker, so that either side of the bandage may be placed next to the skin of the user.

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19. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. in view of U.S. Patent Number 4,928,678 to Grim.

Williams, Jr. discloses the previously described bandage system comprising a water-curable casting material (14) in the form of a splint, and a container (16) including water.

Williams, Jr. discloses that the water-curable resin is polyurethane. Williams, Jr. does not specify that the casting material be fiberglass.

Grim discloses a bandage system comprising a water-curable casting material (24) in the form of a splint. Grim specifies that the casting material comprise fiberglass, and include a water-curable resin, such as urethane polymer (polyurethane), to provide a hardenable splint.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage disclosed by Williams, Jr., wherein the casting material is fiberglass impregnated with polyurethane, as taught by Grim, to provide a hardenable splint.

20. Claims 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Jr. in view Termanini, and in view of U.S. Patent Number 3,494,538 to Matthews.

Williams, Jr. in view of Termanini disclose the previously described bandage system comprising a water-curable casting material (14) in the form of a splint, and a container (16) including water, which is removable from the container, wherein the water is a water-laden gel. Williams, Jr. specifies that the container (16) be provided with opening means to permit the release of water therefrom and into contact with the orthopedic casting material. Williams, Jr. does not specify that the opening means be a pull-string.

Matthews disclose a rupturable container, wherein the container is provided with opening means to permit the release of material therefrom. Matthews discloses that the opening

means is a pull-string (16) positioned relative to the container so that when pulled it ruptures the container substantially along its longitudinal dimension to expose the material contained in the container, and to ensure that the container is completely severed to provide easy access to its contents. The string (16) extends substantially along the longitudinal dimension of the container.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage disclosed by Williams, Jr. in view of Termanini, wherein the opening means of the container comprises a string that extends along the longitudinal direction, as taught by Matthews, to ensure that the container is completely severed to provide easy access to its contents.

It is further noted that Applicant has acknowledged on the record (Specification page 5) the exchangeability of opening means that are in the form of either a tear string as disclosed by Matthews, or as a rupturable container, such as that disclosed by Williams, Jr.

21. Claims 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edenbaum et al. in view of Termanini, and in view of U.S. Patent Number 3,494,538 to Matthews.

Edenbaum et al. in view of Termanini disclose the previously described bandage system comprising a water-curable casting material (26) in the form of a splint, and a container (38) including water, which is removable from the container, wherein the water is a water-laden gel. Edenbaum et al. specifies that the container (38) be provided with opening means to permit the release of water therefrom and into contact with the orthopedic casting material. Edenbaum et al. does not specify that the opening means be a pull-string.

Matthews disclose a rupturable container, wherein the container is provided with opening means to permit the release of material therefrom. Matthews discloses that the opening means is a pull-string (16) positioned relative to the container so that when pulled it ruptures the container substantially along its longitudinal dimension to expose the material contained in the container, and to ensure that the container is completely severed to provide easy access to its contents. The string (16) extends substantially along the longitudinal dimension of the container.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the bandage disclosed by Edenbaum et al. in view of Termanini, wherein the opening means of the container comprises a string that extends along the longitudinal direction, as taught by Matthews, to ensure that the container is completely severed to provide easy access to its contents.

It is further noted that Applicant has acknowledged on the record (Specification page 5) the exchangeability of opening means that are in the form of either a tear string as disclosed by Matthews, or as a rupturable container, such as that disclosed by Edenbaum et al.

Response to Arguments

22. Applicant's arguments filed 09 February 2006 have been fully considered but they are not persuasive.

23. On page 15, regarding claim 1, Applicant argues that William, Jr. does not disclose a container having substantially the same "length dimension" as that of the casting material.

The examiner disagrees, as presented in the rejections above. The examiner is required to consider the claim terminology in a broad reasonable way. The claim only states that a length

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dimension of the container equal that of the casting material. The claim does not require that the length dimension at issue be the “maximum length dimension,” as Applicant appears to argue. The examiner points Applicant to the enclosed dictionary definition of “length”. The term “length” is broadly defined as “distance from end to end”. This is not required to be along the *maximum* length direction, but can broadly be considered to be the “distance from end to end” on the shorter side of the casting material. As the claims are currently drafted, the examiner maintains the rejection based on Williams, Jr.

24. On page 15, regarding claim 17, Applicant argues that Williams, Jr. does not disclose that the liquid would directly contact the casting materials “substantially along the entire length dimension”.

The examiner disagrees, as presented in the rejections above. As seen in col. 1, lines 53-58, Williams, Jr. discloses that after that container is ruptured, the splint is manually kneaded to uniformly work the liquid into the splint, to form a hard stiff splint. Clearly, this meets the claim limitation requiring that the liquid directly contact the casting materials substantially along the entire length of the splint.

Furthermore, as discussed above, the “length dimension” need not be the “maximum” length dimension of the device. Upon rupturing the container, *at least* the smaller length dimension of the casting material would be in direct contact with the liquid.

25. On page 15, regarding claim 29, Applicant argues that Williams, Jr. does not disclose opening means positioned relative to a container so that when pulled the opening means rupture the container substantially along its longitudinal dimension.

The examiner disagrees, as presented in the rejections above. Matthews discloses a container having opening means that comprise a pull-string extending across the longitudinal direction of the container, to completely sever the container and provide easy access to its contents.

Conclusion

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda F. Wieker whose telephone number is 571-272-4794. The examiner can normally be reached on Monday-Thursday, 7:30 - 5:00 and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennett can be reached on 571-272-4791. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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